

AMENDMENTS TO THE CLAIMS

Listing of Claims

1. to 37. (Canceled)

38. (Amended) An implant for treating viable tissue comprising:

a scaffold structure implantable within the tissue, the scaffold having a geometry adapted to be retained within the tissue, the scaffold structure being configured to mechanically trigger an injury response in the tissue that leads to angiogenesis in the tissue, the scaffold structure being sufficiently rigid to support surrounding tissue and to prevent surrounding tissue from collapsing the scaffold structure when the scaffold structure is implanted within tissue; and

thrombus associated with the implant, the thrombus being loaded with a therapeutic material whereby the thrombus provides a host matrix for the therapeutic material;

~~wherein the thrombus is disposed around the exterior of the device.~~

39. to 41. (Canceled)

42. (Amended) An implant for treating viable tissue comprising:

a scaffold structure implantable within the tissue, the scaffold having a geometry adapted to be retained within the tissue, the scaffold structure being configured to mechanically trigger an injury response in the tissue that leads to angiogenesis in the tissue, the scaffold structure being sufficiently rigid to support surrounding tissue and to prevent surrounding tissue from collapsing the scaffold structure when the scaffold structure is implanted within tissue; and

thrombus associated with the implant, the thrombus being loaded with a therapeutic material whereby the thrombus provides a host matrix for the therapeutic material;

wherein the therapeutic material comprises an inhibitor configured to inhibit tumor growth.

43. to 52. (Canceled)

53. (Previously presented) An implant as defined in claim 38 further comprising an angiogenic substance associated with the scaffold.

54. (Previously presented) An implant as defined in claim 38 wherein the therapeutic material comprises at least one of cells, tissue, precursor cells, stem cells, cardiomyocytes, skeletal myoblasts and growth factors.

55. (Previously presented) An implant as defined in claim 38 wherein the scaffold comprises a pellet.

56. (Previously presented) An implant as defined in claim 38 wherein the scaffold structure comprises an open cell foam structure.

57. (Previously presented) An implant as defined in claim 38 wherein the scaffold comprises a tube formed of interwoven, oppositely coiled elongate members.

58. (Previously presented) An implant as defined in claim 42 further comprising an angiogenic substance associated with the scaffold.

59. (Previously presented) An implant as defined in claim 42 in which the scaffold has an interior chamber, the thrombus loaded with the therapeutic material being contained within the chamber;

the scaffold having openings enabling communication between the thrombus, therapeutic material and surrounding tissue.

60. (Previously presented) An implant as defined in claim 42 wherein the scaffold structure comprises an open cell foam structure.

61. (Previously presented) An implant as defined in claim 42 wherein the scaffold comprises a tube formed of interwoven oppositely coiled elongate members.

62. (Previously presented) An implant as defined in claim 42 wherein the scaffold comprises a pellet.

63. (New) An implant as defined in claim 38 wherein the scaffold structure comprises openings that permit herniation of tissue to anchor the scaffold structure within tissue.

64. (New) An implant as defined in claim 38 wherein the thrombus is disposed around the exterior of the device.

65. (New) An implant as defined in claim 42 wherein the scaffold structure comprises openings that permit herniation of tissue to anchor the scaffold structure within tissue.